

BOARD FOR CONTRACTORS BOARD MEETING

Draft MINUTES

The Board for Contractors met on Tuesday, **December 20, 2016** at the Department of Professional and Occupational Regulation (DPOR), 9960 Mayland Drive, Richmond, Virginia. The members indicated below were present. Each of the other members present was qualified to vote, except where a specific reason for disqualification is stated. There are 15 members on this board, in which eight constitutes a quorum pursuant to §54.1-1102.

Vance T. Ayres
Goutam Chowdhuri
H. Bailey Dowdy
Herbert “Jack” Dyer, Jr., Chair
Jeffery Hux
Gene Magruder
Jeffrey Shawn Mitchell
Rudy Middleton
John O’Dell
James Oliver, Vice Chair
E. C. Pace, III
Michael D. Redifer
Troy Smith, Jr.
Jason Curtis “Jake” Trenary

Board member(s) absent from the meeting: David Giesen.

Joshua Laws, Board council was present at the meeting.

Staff members present for all or part of the meeting was:

Jay DeBoer, Director
Eric L. Olson, Executive Director
Anika Coleman, Regulatory Boards Administrator
Adrienne Mayo, Regulatory Boards Administrator
Emily Trent, Administrative Assistant
Sheila Watkins, Administrative Assistant/Compliance
Jacqueline Harris, Administrative Assistant/Compliance
Specialist
Wendy Duncan, Education Specialist

Board- Chairman **Dyer** called the meeting to order at 9:12 a.m. He declared a quorum of board members was in attendance.

Call
To Order

A motion was made by **Mr. Oliver** and seconded by **Mr. Trenary** to approve the agenda. The motion passed unanimously. Members voting “Yes” were: **Ayres, Chowdhuri, Dowdy, Dyer, Hux, Magruder, Middleton, Mitchell, O’Dell, Oliver, Pace, Trenary, Redifer, and Smith. David Giesen was absent.**

Approval of
the Agenda

Mr. Oliver moved to approve the **November 8, 2016** minutes as written: **Mr. Redifer** seconded the motion which was unanimously approved by members: were: **Ayres, Chowdhuri, Dowdy, Dyer, Hux, Magruder, Middleton, Mitchell, O’Dell, Oliver, Pace, Trenary, Redifer, and Smith. David Giesen was absent.**

Approval of
Minutes

There was no public comment.

Public
Comment
Period

In the matter of Recovery Fund File Number 2016-01298, Samuel Adams (Claimants) vs. Harry Blemler, t/a H. Blemler Custom Carpentry (Regulant); the board adopts the claim review, which contains the claim file, exhibits, the Recommendation and facts regarding the recovery fund claim in this matter. **Harry Blemler, t/a H. Blemler Custom Carpentry (Regulant)** did not appear at the Board meeting in person or by counsel or by any other qualified representative. The **(Claimants) did not** attend the Board meeting in person or by counsel or by any other qualified representative.

File Number
2016-01298
Samuel
Adams
(Claimant)
Vs.
Harry
Blemler t/a
H. Blemler
Custom
Carpentry
(Regulant)

This is a Prima Facie case.

After discussion, a motion was made by **Mr. Oliver** and seconded by **Mr. Redifer** to adopt the claim review which contains the facts regarding the recovery fund claim in this matter, and adopts the Recommendation. The Claim Review and Recommendation are incorporated as a part of the Order. The board finds substantial evidence that the Claim does meet the statutory provisions for reimbursement. The Board orders that this claim be paid in the amount of \$19,800.00.

The motion passed by a unanimous vote. Members voting “Yes” were: **Ayres, Chowdhuri, Dowdy, Dyer, Hux, Magruder, Middleton, Mitchell, O’Dell, Oliver, Pace, Trenary, Redifer, and Smith. David Giesen was absent.**

In the matter of Recovery Fund File Number 2017-00633, Quida Young (Claimant) vs. C and M Construction LLC (Regulant); the board adopts the claim review, which contains the facts regarding the recovery fund claim in this matter. **Curtis Goins (Regulant)** did not appear at the Board meeting in person or by counsel or by any other qualified representative. The **(Claimant) did not** attend the Board meeting in person or by counsel or by any other qualified representative.

This is a Prima Facie case.

After discussion, a motion was made by **Mr. Oliver** and seconded by **Mr. Redifer** to adopt the claim review which contains the facts regarding the recovery fund claim in this matter, and adopts the Recommendation. The Claim Review and Recommendation are incorporated as a part of the Order. The board finds substantial evidence that the Claim does meet the statutory provisions for reimbursement. The Board orders that this claim be paid in the amount of \$19,736.68.

The motion passed by a majority vote. Members voting “Yes” were: **Ayres, Chowdhuri, Dowdy, Dyer, Hux, Magruder, Middleton, Mitchell, O’Dell, Oliver, Pace, Trenary, Redifer, and Smith. David Giesen was absent.**

File Number
2017-00633
Quida
Young
(Claimant)
and C and M
Construction
LLC
(Regulant)

In the matter of Prima Facie Recovery Fund File Number 2017-00781, Tim and Tracy Ciampaglio, (Claimant) vs. American Marble and Granite (Regulant); the board adopts the claim review, which contains the facts regarding the recovery fund claim in this matter. **American Marble and Granite (Regulant)** did not appear at the Board meeting in person or by counsel or by any other qualified representative. The **(Claimant) Tim Ciampaglio did** attend the Board meeting in person.

This is a Prima Facie case.

After discussion, a motion was made by **Mr. Redifer** and seconded by **Mr. Trenary** to adopt the claim review which contains the facts regarding the recovery fund claim in this matter, and adopts the Recommendation. The Claim Review and Recommendation are incorporated as a part of the Order. The board finds substantial evidence that the Claim does meet the statutory provisions for reimbursement. The Board orders that this claim be paid in the amount of \$18,558.00.

The motion passed by a majority vote. Members voting “Yes” were: **Ayres, Chowdhuri, Dowdy, Dyer, Hux, Magruder, Middleton, Mitchell, O’Dell, Oliver, Pace, Trenary, Redifer, and Smith. David Giesen was absent.**

File Number
2017-00781
Tim and
Tracy
Ciampaglio
(Claimant)
V
American
Marble and
Granite
(Regulant)

In the matter of Recovery Fund File Number 2017-00797, Tiffany Tillman, (Claimant) vs. Clarence J Williamson (Regulant); the board adopts the claim review, which contains the facts regarding the recovery fund claim in this matter. **Clarence J Williamson (Regulant)** did not appear at the Board meeting in person or by counsel or by any other qualified representative. The **(Claimant) did not** attend the Board meeting in person or by counsel or by any other qualified representative.

This is a Prima Facie case.

After discussion, a motion was made by **Mr. Oliver** and seconded by **Mr. Redifer** to adopt the claim review which contains the facts regarding the recovery fund claim in this matter, and adopts the Recommendation. The Claim Review and Recommendation are incorporated as a part of the Order. The board finds substantial evidence that the Claim does meet the statutory provisions for reimbursement. The Board orders that this claim be paid in the amount of \$1,208.00.

The motion passed by a majority vote. Members voting “Yes” were: **Ayres, Chowdhuri, Dowdy, Dyer, Hux, Magruder, Middleton, Mitchell, O’Dell, Oliver, Pace, Trenary, Redifer, and Smith. David Giesen was absent.**

File Number
2017-00797
Tiffany
Tillman
(Claimant)
V
Clarence J
Williamson
(Regulant)

In the matter of Recovery Fund File Number 2017-00859, Dustin Hockett, (Claimant) vs. Joseph Stanley, t/a Allstate Materials (Regulant); the board adopts the claim review, which contains the facts regarding the recovery fund claim in this matter. **Joseph Stanley, t/a Allstate Materials (Regulant)** did not appear at the Board meeting in person or by counsel or by any other qualified representative. The **(Claimant) Dustin Hockett did** attend the Board meeting in person.

This is a Prima Facie case.

After discussion, and review of the case file, a motion was made by **Mr. Oliver** and seconded by **Mr. O’Dell** to adopt the claim review which contains the facts regarding the recovery fund claim in this matter, and adopts the Recommendation. The Claim Review and Recommendation are incorporated as a part of the Order. The board finds substantial evidence that the Claim does meet the statutory provisions for reimbursement. The Board orders that this claim be paid in the amount of \$20,000.00.

The motion passed by a majority vote. Members voting “Yes” were: **Ayres, Chowdhuri, Dowdy, Dyer, Hux, Magruder, Middleton, Mitchell, O’Dell, Oliver, Pace, Trenary, Redifer, and Smith. David Giesen was absent.**

File Number
2017-00859
Dustin
Hockett
(Claimant)
V
Joseph
Stanley, t/a
Allstate
Materials
(Regulant)

In the matter of Recovery Fund File Number 2017-00916, Christopher McGrath, (Claimant) vs. KJB Companies, Inc (Regulant); the board adopts the claim review, which contains the facts regarding the recovery fund claim in this matter. **KJB Companies, Inc, (Regulant)** did not appear at the Board meeting in person or by counsel or by any other qualified representative. The **(Claimant) did not** attend the Board meeting in person, by counsel nor by any other qualified representative.

This is a Prima Facie case.

After discussion, a motion was made by **Mr. Oliver** and seconded by **Mr. Pace** to adopt the claim review which contains the facts regarding the recovery fund claim in this matter, and adopts the Recommendation. The Claim Review and Recommendation are incorporated as a part of the Order. The board finds substantial evidence that the Claim does meet the statutory provisions for reimbursement. The Board orders that this claim be paid in the amount of \$20,000.00.

The motion passed by a majority vote. Members voting “Yes” were: **Ayres, Chowdhuri, Dowdy, Dyer, Hux, Magruder, Middleton, Mitchell, O’Dell, Oliver, Pace, Trenary, Redifer, and Smith.** **David Giesen** was absent.

In the matter of Recovery Fund File Number 2017-01026, Caleb Drake, (Claimant) vs. American Construction Company of Virginia (Regulant); the board adopts the claim review, which contains the facts regarding the recovery fund claim in this matter. **American Construction Company of Virginia, (Regulant)** did not appear at the Board meeting in person or by counsel or by any other qualified representative. The **(Claimant) did not** attend the Board meeting in person, by counsel nor by any other qualified representative.

This is a Prima Facie case.

After discussion, a motion was made by **Mr. Oliver** and seconded by **Mr. Smith** to adopt the claim review which contains the facts regarding the recovery fund claim in this matter, and adopts the Recommendation. The Claim Review and Recommendation are incorporated as a part of the Order. The board finds substantial evidence that the Claim does meet the statutory provisions for reimbursement. The Board orders that this claim be paid in the amount of \$12,086.00.

The motion passed by a majority vote. Members voting “Yes” were: **Ayres, Chowdhuri, Dowdy, Dyer, Hux, Magruder, Middleton, Mitchell, O’Dell, Oliver, Pace, Trenary, Redifer, and Smith.** **David Giesen** was absent.

File Number
2017-00916
Christopher
McGrath
(Claimants)
V
KJB
Companies,
Inc.
(Regulant)

File Number
2017-01026
Caleb Drake
(Claimant)
and
American
Construction
Company of
Virginia
(Regulant)

In the matter of Recovery Fund File Number 2017-01130, Douglas and Rachel Kelly, (Claimant) vs. Wakefield Building Group, LLC (Regulant); the board adopts the claim review, which contains the facts regarding the recovery fund claim in this matter. **Wakefield Building Group, LLC, (Regulant)** did not appear at the Board meeting in person or by counsel or by any other qualified representative. The **(Claimant)** **did not** attend the Board meeting in person, by counsel nor by any other qualified representative.

File Number
2017-01130
Douglas and
Rachel Kelly
v.
Wakefield
Building
Group, LLC

This is a Prima Facie case.

After discussion, a motion was made by **Mr. Oliver** and seconded by **Mr. Pace** to adopt the claim review which contains the facts regarding the recovery fund claim in this matter, and adopts the Recommendation. The Claim Review and Recommendation are incorporated as a part of the Order. The board finds substantial evidence that the Claim does meet the statutory provisions for reimbursement. The Board orders that this claim be paid in the amount of \$20,000.00.

The motion passed by a majority vote. Members voting “Yes” were: **Ayres, Chowdhuri, Dowdy, Dyer, Hux, Magruder, Middleton, Mitchell, O’Dell, Oliver, Pace, Trenary, Redifer, and Smith.** **David Giesen was absent.**

In the matter of Recovery Fund File Number 2017-01193, Linda and Robert Jarrell, (Claimant) vs. All Wood Flooring, LLC (Regulant); the board adopts the claim review, which contains the facts regarding the recovery fund claim in this matter. **All Wood Flooring, LLC, (Regulant)** did not appear at the Board meeting in person or by counsel or by any other qualified representative. The **(Claimant)** **did not** attend the Board meeting in person, by counsel nor by any other qualified representative.

File Number
2017-01193
Linda and
Robert
Jarrell
(Claimants)
v.
All Wood
Flooring,
LLC
(Regulant)

This is a Prima Facie case.

After discussion, a motion was made by **Mr. Oliver** and seconded by **Mr. Mitchell** to adopt the claim review which contains the facts regarding the recovery fund claim in this matter, and adopts the Recommendation. The Claim Review and Recommendation are incorporated as a part of the Order. The board finds substantial evidence that the Claim does meet the statutory provisions for reimbursement. The Board orders that this claim be paid in the amount of \$20,000.00.

The motion passed by a majority vote. Members voting “Yes” were: **Ayres, Chowdhuri, Dowdy, Dyer, Hux, Magruder, Middleton, Mitchell, O’Dell, Oliver, Pace, Trenary, Redifer, and Smith.** **David Giesen was absent.**

In the matter of Recovery Fund File Number 2017-01195, Frederic and Shana Singerman, (Claimants) vs. RJK Construction, Inc. (Regulant); the board adopts the claim review, which contains the facts regarding the recovery fund claim in this matter. **RJK Construction, Inc., (Regulant)** did not appear at the Board meeting in person or by counsel or by any other qualified representative. The **(Claimants) did not** attend the Board meeting in person, by counsel nor by any other qualified representative.

File Number
2017-01195
Frederic and
Shana
Singerman
(Claimants)
v.
RJK
Construction
, Inc.

This is a Prima Facie case.

After discussion, a motion was made by **Mr. Oliver** and seconded by **Mr. Ayres** to adopt the claim review which contains the facts regarding the recovery fund claim in this matter, and adopts the Recommendation. The Claim Review and Recommendation are incorporated as a part of the Order. The board finds substantial evidence that the Claim does meet the statutory provisions for reimbursement. The Board orders that this claim be paid in the amount of \$20,000.00.

The motion passed by a majority vote. Members voting “Yes” were: **Ayres, Chowdhuri, Dowdy, Dyer, Hux, Magruder, Middleton, Mitchell, O’Dell, Oliver, Pace, Trenary, Redifer, and Smith. David Giesen was absent.**

In the matter of Recovery Fund File Number 2016-02731, Timothy & Judy Doering, (Claimant) vs. Nelson of VA, LLC, (Regulant); the board adopts the claim review, which contains the facts regarding the recovery fund claim in this matter. **Nelson of VA LLC, (Regulant)** did not appear at the Board meeting in person or by counsel or by any other qualified representative. The **(Claimants) Timothy and Judy Doering did not** attend the Board meeting in person, by counsel nor by any other qualified representative.

File Number
2016-02731
Timothy and
Judy
Doering
(Claimants)
v.

After discussion, a motion was made by **Mr. Oliver** and seconded by **Mr. Hux** to adopt the claim review which contains the facts regarding the recovery fund claim in this matter, and reject the Recommendation. The Claim Review and the rejected Recommendation are incorporated as a part of the Order. The board finds substantial evidence that the Claim does not meet the statutory provisions for reimbursement.

Nelson of VA
LLC
(Regulant)

The motion passed by a majority vote. Members voting “Yes” were: were: **Ayres, Chowdhuri, Dowdy, Dyer, Magruder, Mitchell, O’Dell, Oliver, and Smith. David Giesen was absent. Members voting no were: Pace, Redifer, Middleton and Hux. Trenary did not vote.**

In the matter of Recovery Fund File Number 2016-02832, Rodney Schraw,

File Number

(Claimant) vs. Thomas Montague Thompson, III, (Regulant); the board adopts the claim review, which contains the facts regarding the recovery fund claim in this matter. **Thomas Montague Thompson, III, (Regulant)** did not appear at the Board meeting in person or by counsel or by any other qualified representative. The **(Claimant) Rodney Schraw did** attend the Board meeting in person.

**2016-02832
Rodney
Schraw
V
Thomas
Montague
Thompson
III**

After discussion, a motion was made by **Mr. Oliver** and seconded by **Mr. Magruder** to adopt the claim review which contains the facts regarding the recovery fund claim in this matter, and adopts the Recommendation. The Claim Review and Recommendation are incorporated as a part of the Order. The board finds substantial evidence that the Claim does meet the statutory provisions for reimbursement in the amount of **\$20,000.00**. Pursuant to 54.1123(B), payments may be reduced on a prorated basis based upon the number of claims received.

The motion passed by a unanimous vote. Members voting “Yes” were: were: **Ayres, Chowdhuri, Dowdy, Dyer, Hux, Magruder, Middleton, Mitchell, O’Dell, Oliver, Pace, Trenary, and Smith. David Giesen was absent. Redifer did not vote and did not participate.**

In the matter of Recovery Fund File Number 2016-02000, Charles Swain, (Claimant) vs. Michael Grady, Sr., (Regulant); the board adopts the claim review, which contains the facts regarding the recovery fund claim in this matter. **Michael Grady, Sr., (Regulant)** did not appear at the Board meeting in person or by counsel or by any other qualified representative. The **(Claimant) Charles Swain did not** attend the Board meeting in person, by counsel nor by any other qualified representative.

**File Number
2016-02000
Charles
Swain
V
Michael
Grady, Sr.**

After discussion, a motion was made by **Mr. Oliver** and seconded by **Mr. Magruder** to adopt the claim review which contains the facts regarding the recovery fund claim in this matter, and adopts the Recommendation. The Claim Review and Recommendation are incorporated as a part of the Order. The board finds substantial evidence that the Claim does meet the statutory provisions for reimbursement in the amount of **\$5,155.00**. Pursuant to 54.1123(B), payments may be reduced on a prorated basis based upon the number of claims received.

The motion passed by a majority vote. Members voting “Yes” were: were: **Ayres, Chowdhuri, Dowdy, Hux, Magruder, Mitchell, O’Dell, Oliver, Pace, Trenary, and Smith. David Giesen was absent. Redifer did not vote and did not participate. Mr. Dyer and Mr. Middleton voted “no”.**

In the matter of Recovery Fund File Number 2015-01875, Karl Budzevski, (Claimant) vs. David Lee Bryan, (Regulant); the board adopts the claim review, which contains the facts regarding the recovery fund claim in this matter. **David Lee Bryan, (Regulant)** did not appear at the Board meeting in person or by counsel or by any other qualified representative. The **(Claimant) Karl Budzevski did** attend the Board meeting in person.

File Number
2015-01875
Karl
Budzevski
V
David Lee
Bryan

After discussion, a motion was made by **Mr. Oliver** and seconded by **Mr. Magruder** to adopt the claim review which contains the facts regarding the recovery fund claim in this matter, and adopts the Recommendation. The Claim Review and Recommendation are incorporated as a part of the Order. The board finds substantial evidence that the Claim does meet the statutory provisions for reimbursement in the amount of **\$8,534.31**. Pursuant to 54.1123(B), payments may be reduced on a prorated basis based upon the number of claims received.

The motion passed by a unanimous vote. Members voting “Yes” were: were: **Ayres, Chowdhuri, Dowdy, Dyer, Hux, Magruder, Middleton, Mitchell, O’Dell, Oliver, Pace, Trenary, and Smith. David Giesen was absent. Redifer did not vote and did not participate.**

In the matter of Recovery Fund File Number 2017-00459, Teresa Marie Allen, (Claimant) vs. George Green t/a Gd Green Contracting, (Regulant); the board adopts the claim review, which contains the facts regarding the recovery fund claim in this matter. **George Green, (Regulant)** did not appear at the Board meeting in person or by counsel or by any other qualified representative. The **(Claimant) Teresa Marie Allen did not** attend the Board meeting in person, by counsel nor by any other qualified representative.

File Number
2017-00459
Teresa
Marie Allen
V
George
Green t/a Gd
Green
Contracting

After discussion, a motion was made by **Mr. Oliver** and seconded by **Mr. Magruder** to adopt the claim review which contains the facts regarding the recovery fund claim in this matter, and adopts the Recommendation. The Claim Review and Recommendation are incorporated as a part of the Order. The board finds substantial evidence that the Claim does not meet the statutory provisions for reimbursement. This claim is denied.

The motion passed by a unanimous vote. Members voting “Yes” were: were: **Ayres, Chowdhuri, Dowdy, Dyer, Hux, Magruder, Middleton, Mitchell, O’Dell, Oliver, Redifer, Trenary, and Smith. David Giesen was absent. Pace did not vote and did not participate.**

In the matter of License Application File Number 2017-00961, All Floors Now, LLC, the Board members reviewed the record, which consisted of the application file, transcript and exhibits, and Summary of the Informal Fact-

File Number
2017-00961
All Floors

Finding Conference.

Now, LLC

Terry McClure and Reda Kolta for All Floors Now, LLC did appear at the Board meeting in person. They addressed the Board.

The presiding Board representative **Mr. Trenary** was not present did not participate in the discussion and did not vote.

After discussion, a motion was made by **Mr. Oliver** and seconded by **Mr. Magruder** to amend the recommendation contained in the Summary of the Informal Fact-Finding Conference and approve the application with the following conditions: Mr. Kolta will provide 1099's for Contractor Staff to review for the years he stated on his application that he was employed by All Floors. This request must be adhered to within 90 days. If the 1099's meet the required criteria then the license will be issued.

The motion passed by unanimous vote. Members voting "Yes" were: **Ayres, Chowdhuri, Dowdy, Dyer, Hux, Magruder, Middleton, Mitchell, O'Dell, Oliver, Pace, Redifer, and Smith.** **David Giesen was absent. Mr. Trenary did not vote and did not participate.**

In the matter of License Application File Number 2017-00474, Basharat Iqbal, the Board members reviewed the record, which consisted of the application file, transcript and exhibits, and Summary of the Informal Fact-Finding Conference.

File Number
2017-00474
Basharat
Iqbal

Basharat Iqbal applicant was represented by his attorney Tom Nesbitt, at the Board meeting.

The presiding Board representative **Mr. Redifer** was not present and did not participate in the discussion and did not vote.

After discussion, a motion was made by **Mr. Oliver** and seconded by **Mr. Magruder** to adopt the Informal Fact-Finding Conference Memorandum which contained the facts regarding the application, and adopts the Summary of the Informal Fact-Finding Conference and approve the application for a Master HVA Trades License.

The motion passed unanimously. Members voting "Yes" were: **Ayres, Chowdhuri, Dowdy, Dyer, Hux, Magruder, Middleton, Mitchell, O'Dell, Oliver, Pace, Trenary, and Smith.** **David Giesen was absent.**

In the matter of License Application File Number 2016-02745, Floortechs, LLC, the Board members reviewed the record, which consisted of the

File Number
2016-02745

application file, transcript and exhibits, and Summary of the Informal Fact-Finding Conference.

**Floortechs,
LLC**

Brandy Perez, for Floortechs, LLC participated in the Informal Fact Finding Conference.

Brandy Perez and Jose Perez did appear at the Board meeting in person. They addressed the Board and shared their agreement with the recommendation.

The presiding Board representative **Mr. Redifer** was not present did not participate in the discussion and did not vote.

After discussion, a motion was made by **Mr. Oliver** and seconded by **Mr. Magruder** to amend the recommendation contained in the Summary of the Informal Fact-Finding Conference; the Board will approve the application for a Class C Contractor license contingent upon all members of Floortechs, LLC (Responsible Manager, Qualified Individual and Designated Employee) successfully completing the Board's Remedial Education Class within ninety days of the Order.

The motion passed by a majority vote. Members voting "Yes" were: **Ayres, Chowdhuri, Dowdy, Magruder, Middleton, O'Dell, Oliver, Trenary, and Smith. David Giesen was absent. Members voting "no" were: Pace, Dyer, Mitchell and Hux.**

In the matter of License Application File Number 2017-01159, Cardinal Dynamics LLC the Board members reviewed the record, which consisted of the application file, transcript and exhibits, and Summary of the Informal Fact-Finding Conference.

**File Number
2017-01159
Cardinal
Dynamics
LLC**

Joel Christopher Burton on behalf of Cardinal Dynamics LLC, Applicant participated in the Informal Fact-Finding Conference.

Joel Christopher Burton on behalf of Cardinal Dynamics LLC did appear at the Board meeting in person. He addressed the Board.

The presiding Board representative **Ms. Eldridge** was not present did not participate in the discussion and did not vote.

After discussion, a motion was made by **Mr. Oliver** and seconded by **Mr. Magruder** to amend the recommendation contained in the Summary of the Informal Fact-Finding Conference and deny the request for the Class A application and approve a Class B conditional license contingent upon Burton providing staff with a CPA audited financial statement in accordance with the

current standards set forth by the American Institute of Certified Public Accounts that shows a net worth of at least \$15,000.00 within 120 days of the Board meeting date. Failure to provide proof of \$15,000 in net worth will result in denial of the license application.

The motion passed by majority vote. Members voting “Yes” were: **Ayres, Chowdhuri, Dowdy, Hux, Magruder, Middleton, Mitchell, O’Dell, Oliver, Pace, Redifer, Trenary, and Smith. David Giesen was absent. Dyer voted “no”.**

In the matter of License Application File Number 2017-00424, Carosi’s Masonry Magic, LLC, the Board members reviewed the record, which consisted of the application file, transcript and exhibits, and Summary of the Informal Fact-Finding Conference.

**File Number
2017-00424
Carosi’s
Masonry
Magic, LLC**

Michael Carosi, on behalf of Carosi’s Masonry Magic, LLC, Applicant; participated at the Informal Fact Finding Conference.

Carosi’s Masonry Magic, LLC did not appear at the Board meeting in person by counsel nor by any other qualified representative.

The presiding Board representative **Ms. Eldridge** was not present did not participate in the discussion and did not vote.

After discussion, a motion was made by **Mr. Oliver** and seconded by **Mr. Pace** to adopt the Informal Fact-Finding Conference Memorandum which contained the facts regarding the application and the Summary. The Board also adopts the Recommendation and approves the application for Class C Contractor license.

The motion passed with a majority vote. Members voting “Yes” were: **Ayres, Chowdhuri, Dowdy, Dyer, Hux, Magruder, Middleton, Mitchell, O’Dell, Oliver, Pace, Redifer, and Smith. David Giesen was absent. Trenary voted “no”.**

In the matter of Disciplinary File Number 2015-03125, Ace Handyman & Remodeling of the Peninsula, Inc., the Board members reviewed the record, which consisted of the disciplinary file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference of the presiding Board representative.

**File Number
2015-03125
Ace
Handyman
&
Remodeling
of the
Peninsula,
Inc.**

Reginald Kim Forrester appeared at the Informal Fact Finding Conference.

Ace Handyman & Remodeling of the Peninsula, Inc did not appear at the Board meeting in person. They were not represented by counsel, or by any other qualified individual.

Presiding officer **Mr. Hux** was not present did not participate in the discussion and did not vote.

After discussion a motion was made by **Mr. Oliver** and seconded by **Mr. Mitchell** to adopt the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter, and adopt the Summary. The report of findings and Summary are incorporated as part of the Order. The Board finds substantial evidence that **Ace Handyman & Remodeling of the Peninsula, Inc.** violated the following:

- Count 1: 18 VAC 50-22-260.B.9 effective December 1, 2012**
- Count 2: 18 VAC 50-22-260.B.10**
- Count 3: 18 VAC 50-22-260.B.33**
- Count 4: 18 VAC 50-22-260.B.27**
- Count 5: 18 VAC 50-22-260.B.31**
- Count 6: 18 VAC 50-22-260.B.16**
- Count 7: 18 VAC 50-22-260.B.28 effective February 1, 2006**

The motion passed unanimously. Members voting “Yes” were: **Ayres, Chowdhuri, Dowdy, Dyer, Hux, Magruder, Middleton, Mitchell, O’Dell, Oliver, Pace, Redifer, Trenary, and Smith.** **David Giesen was absent.**

After discussion a motion was made by **Mr. Oliver** and seconded by **Mr. Mitchell** to impose the following monetary penalties:

Count 1		\$450.00
Count 2:		\$450.00
Count 3:		\$800.00
Count 4:		\$1,000.00
Count 5:		\$ 500.00
Count 6:		\$ 2,500.00
Count 7:		\$1,750.00
Total		\$7,450.00

A total monetary penalty of **\$7,450.00**. For violations of Counts 1 through 5 and 7, the Board voted to require a member of Responsible Management successfully complete a Board-approved remedial education class within 90 days of the effective date of the order.

The Board also imposes the following sanctions: For violations of Counts 6 and 7, license revocation is imposed.

The motion passed by unanimous vote. Members voting “Yes” were: **Ayres, Chowdhuri, Dowdy, Dyer, Hux, Magruder, Middleton, Mitchell, O’Dell,**

Oliver, Pace, Redifer, Trenary, and Smith. David Giesen was absent.

In the matter of Disciplinary File Number 2015-01795, Jason Edward Thacker, the Board members reviewed the record, which consisted of the investigative file, transcript and exhibits from the Informal Fact-Finding Conference, and the Summary.

**File Number
2015-01795
Jason
Edward
Thacker**

Jason Edward Thacker did not appear at the Informal Fact Finding Conference. He was not represented by counsel neither by any other qualified individual.

Jason Edward Thacker did not appear at the Board meeting in person by counsel nor by any other qualified individual.

Presiding officer **Mr. Pace**, was not present did not participate in the discussion and did not vote.

After discussion a motion was made by **Mr. Oliver** and seconded by **Mr. Mitchell** to adopt the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter, and adopt the Summary. The Board finds substantial evidence that Thacker violated the following.

- Count 1: 18 VAC 50-22-260.B.8 effective December 1, 2012**
- Count 2: 18 VAC 50-22-260.B.33**
- Count 3: 18 VAC 50-22-260.B.27**
- Count 4: 18 VAC 50-22-260.B.16**
- Count 5: 18 VAC 50-22-260.B.2**
- Count 6: 18 VAC 50-22-260.B.28**

The motion passed unanimously. Members voting “Yes” were: **Ayres, Chowdhuri, Dowdy, Dyer, Hux, Magruder, Middleton, Mitchell, O’Dell, Oliver, Redifer, Trenary, and Smith. David Giesen was absent.**

After discussion **Mr. Oliver** offered a motion seconded by **Mr. Mitchell** to impose the following sanctions:

Count 1:		\$400.00
Count 2:		\$750.00
Count 3:		\$650.00
Count 4:		\$1,000.00
Count 5:		\$1,000.00
Count 6:		\$1,000.00
Total		\$4,800.00

In addition, for violations of Counts 1, 2 and 3, the Board voted to require

Jason Edward Thacker have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 days of the effective date of this order. For violations of Counts 4, 5, and 6, the Board imposes license revocation.

The motion passed by unanimous vote. Members voting “Yes” were: **Ayres, Chowdhuri, Dowdy, Dyer, Hux, Magruder, Middleton, Mitchell, O’Dell, Oliver, Redifer, Trenary, and Smith. David Giesen was absent.**

In the matter of Disciplinary File Number 2014-01578, Phong Dinh & Sengkham Douangdara t/a DP Rams & AMS General Mechanical Contractor LLC, the Board members reviewed the record, which consisted of the investigative file, transcript and exhibits from the Informal Fact-Finding Conference, and the Summary.

**File Number
2014-01578
Phong Dinh
& Sengkham
Douangdara
t/a DP Rams
& AMS
General
Mechanical
Contractor
LLC**

Xuan Dinh Phong, on behalf of DP Rams & AMS General Mechanical Contractor LLC did not appear at the Informal Fact Finding Conference along with Richard Nguyen, attorney for Respondent.

DP Rams & AMS General Mechanical Contractor LLC did not appear at the Board meeting in person by counsel nor by any other qualified individual.

Presiding officer **Mr. Mitchell**, was not present did not participate in the discussion and did not vote.

After discussion a motion was made by **Mr. Oliver** and seconded by **Mr. Pace** to adopt the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter, and adopt the Summary. The Board finds substantial evidence that **DP Rams & AMS** violated the following.

Count 1: 18 VAC 50-22-260.B.2 effective February 1, 2006

The motion passed unanimously. Members voting “Yes” were: **Ayres, Chowdhuri, Dowdy, Dyer, Hux, Magruder, Middleton, O’Dell, Oliver, Pace, Redifer, Trenary, and Smith. David Giesen was absent.**

After discussion **Mr. Oliver** offered a motion seconded by **Mr. Pace** to impose the following sanctions:

Count 1:		\$0.00
Total		\$0.00

In addition, for violation of Count 1, the Board voted to impose license revocation.

The motion passed by unanimous vote. Members voting “Yes” were: **Ayres, Chowdhuri, Dowdy, Dyer, Hux, Magruder, Middleton, O’Dell, Oliver, Pace, Redifer, Trenary, and Smith. David Giesen was absent.**

In the matter of Disciplinary File Number 2014-01574, Phong Xuan Dinh., the Board members reviewed the record, which consisted of the disciplinary file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference of the presiding Board representative.

**File Number
2014-01574
Phong Xuan
Dinh**

Phong Xuan Dinh and Attorney Richard Nguyen attended the Informal Fact Finding Conference.

Attorney Nguyen neither, Dinh appeared at the Board meeting. No one else appeared on his behalf.

Presiding officer **Mr. Mitchell** was not present did not participate in the discussion and did not vote.

After discussion a motion was made by **Mr. Oliver** and seconded by **Mr. Pace** to adopt the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter, and adopts the Summary in part. The Board finds substantial evidence that **Phong Xuan Dinh.,** violated the following:

Count 1 18 VAC 50-30-190. 2 Eff: Nov 15, 2007

The motion passed unanimously. Members voting “yes” were: **Ayres, Chowdhuri, Dowdy, Dyer, Hux, Magruder, Middleton, O’Dell, Oliver, Pace, Redifer, Trenary, and Smith. David Giesen was absent.**

After discussion **Mr. Oliver** offered a motion seconded by **Mr. Pace** to impose the following monetary penalties: The Report of Findings and Summary are incorporated as part of the Order. A fine of \$0.00 and license revocation for violation of Count 1.

Attorney Talegaonkar addressed to Board again on behalf of his client sharing disagreement with the amended recommendation to revoke the license. He requested the Board’s consideration to stay the revocation.

The motion passed by unanimous vote. Members voting “yes” were: **Ayres, Chowdhuri, Dowdy, Dyer, Hux, Magruder, Middleton, O’Dell, Oliver, Pace, Redifer, Trenary, and Smith. David Giesen was absent.**

In the matter of Disciplinary File Number 2014-01577, Phong Dinh &

File Number

Sengkham Douangdara t/a DP & Rams General, the Board members reviewed the record, which consisted of the disciplinary file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference of the presiding Board representative.

**2014-01577
Phong Dinh
& Sengkham
Douangdara
t/a DP &
Rams
General**

Dinh Phong and Richard Nguyen, attorney, on behalf of **DP & Rams General**, Respondent; attended the Informal Fact Finding Conference.

Dinh Phong and Richard Nguyen, attorney, did not appear at the Board meeting.

Presiding officer **Mr. Mitchell** was not present did not participate in the discussion and did not vote.

After discussion a motion was made by **Mr. Oliver** and seconded by **Mr. Pace** to adopt the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter, and adopts the Summary in part. The Board finds substantial evidence that **DP & Rams**, violated the following:

- Count 1 18 VAC 50-22-260.B.2 Eff: Feb 1, 2016
- Count 2 18 VAC 50-22-260.B.2
- Count 3 18 VAC 50-22-260.B.2
- Count 4 18 VAC 50-22-260.B.2

The motion passed unanimously. Members voting “yes” were: **Ayres, Chowdhuri, Dowdy, Dyer, Hux, Magruder, Middleton, O’Dell, Oliver, Pace, Redifer, Trenary, and Smith. David Giesen was absent.**

After discussion **Mr. Oliver** offered a motion seconded by **Mr. Pace** to impose the following sanctions:

Count 1:	\$500.00
Count 2:	\$ 0.00
Count 3:	\$500.00
Count 4:	\$500.00
Total	\$1,500.00

In addition, for violation of Count 2, the Board imposes **license revocation**.

The motion passed by unanimous vote. Members voting “yes” were: **Ayres, Chowdhuri, Dowdy, Dyer, Hux, Magruder, Middleton, O’Dell, Oliver, Pace, Redifer, Trenary, and Smith. David Giesen was absent.**

In the matter of Disciplinary File Number 2015-02636, James Manion t/a Home Improvement, the Board members reviewed the record, which consisted

**File Number
2015-02636**

of the disciplinary file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference of the presiding Board representative.

James Manion did attend the Informal Fact Finding conference in person. Matthew Porcaro (Complainant) did attend the Informal Fact Finding Conference in person.

James Manion did not appear at the Board meeting in person by counsel nor by any other qualified individual.

Presiding officer **Mr. Mitchell** was not present did not participate in the discussion and did not vote.

After discussion a motion was made by **Mr. Oliver** and seconded by **Mr. Pace** to adopt the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter, and adopts the Summary. The Report of Findings and Summary are incorporated as part of the Order. The Board finds substantial evidence that **James Manion** violated the following:

- Count 1 18 VAC 50-22-260.B.8 Eff: Dec 15, 2002
- Count 2 18 VAC 50-22-260.B.9
- Count 3: 18 VAC 50-22-260.B.31
- Count 4: 18 VAC 50-22-260.B.29
- Count 5: 18 VAC 50-22-260.B.27
- Count 6: 18 VAC 50-22-260.B.33
- Count 7: 18 VAC 50-22-260.B.5

After discussion a motion was made by **Mr. Oliver** and seconded by **Mr. Pace** to adopt the Report of Findings, which contains the facts regarding the regulatory and/or statutory issues in this matter, and adopts the Summary. The Board imposes the following monetary penalties: The Report of Findings and Summary are incorporated as part of the Order.

Count 1:	\$350.00
Count 2:	\$350.00
Count 3:	\$350.00
Count 4:	\$550.00
Count 5:	\$750.00
Count 6:	\$750.00
Count 7:	\$2,000.00
Total	\$5,100.00

In addition, for violation of Counts 1 through 6, the Board votes to require **James Manion** to successfully complete a Board-approved remedial education class within 90 days of the effective date of this order.

**James
Manion t/a
Home
Improvement
Contractor**

In addition, the Board also imposes revocation of license for violation of Count 7.

The motion passed by unanimous vote. Members voting “yes” were: **Ayres, Chowdhuri, Dowdy, Dyer, Hux, Magruder, Middleton, O’Dell, Oliver, Pace, Redifer, Trenary, and Smith. David Giesen was absent.**

In the matter of Prima Facie Disciplinary File Number 2015-02547 My Builder, Inc., the record, which consisted of the Notice, the Report of Findings, including exhibits, and the Recommendation.

**File Number
2015-02547
My Builder,
Inc**

A motion was made by **Mr. Oliver** and seconded by **Mr. Pace** to adopt the report of findings including exhibits and the Report of finding. They are incorporated as part of the Order. The Board finds substantial evidence that **My Builder, Inc.** violated the following:

Count 1:	Jan 1, 2016	18 VAC 50-22-260. B.7
Count 2:	Dec. 1, 2012	18 VAC 50-22-210.

The motion was adopted by a unanimous vote. Members voting “yes” were: **Ayres, Chowdhuri, Dowdy, Dyer, Hux, Magruder, Middleton, Mitchell, O’Dell, Oliver, Pace, Redifer, Trenary, and Smith. David Giesen was absent.**

After discussion a motion was made by **Mr. Oliver** and seconded by **Mr. Pace** to impose the following sanctions:

Count 1:		\$00.00
Count 2:		\$00.00
Total		\$00.00

For violation of Counts 1, and 2, **license** revocation is imposed.

The motion passed with a unanimous “yes” vote. Members voting “yes” were: **Ayres, Chowdhuri, Dowdy, Dyer, Hux, Magruder, Middleton, Mitchell, O’Dell, Oliver, Pace, Redifer, Trenary, and Smith. David Giesen was absent.**

In the matter of Prima Facie Disciplinary File Number 2016-00291 My Builder Inc., the record, which consisted of the Notice, the Report of Findings, including exhibits, and the Recommendation.

**File Number
2016-00291
My Builder
Inc**

A motion was made by **Mr. Oliver** and seconded by **Mr. Chowdhuri** to adopt

the report of findings including exhibits and the Report of finding. They are incorporated as part of the Order. The Board finds substantial evidence that **My Builder Inc.** violated the following:

Count 1:	Dec 1, 2014	18 VAC 50-22-260. B.15
Count 2:	Dec. 1, 2012	18 VAC 50-22-260.B.16
Count 3:		18 VAC 50-22-260.B.6

The motion was adopted by a unanimous vote. Members voting “yes” were: **Ayres, Chowdhuri, Dowdy, Dyer, Hux, Magruder, Middleton, Mitchell, O’Dell, Oliver, Pace, Redifer, Trenary, and Smith. David Giesen was absent.**

After discussion a motion was made by **Mr. Oliver** and seconded by **Mr. Chowdhuri** to impose the following sanctions:

Count 1:		\$00.00
Count 2:		\$00.00
Count 3:		\$00.00
Total		\$00.00

For violation of Counts 1, 2, and 3, **license** revocation is imposed.

The motion passed with a unanimous “yes” vote. Members voting “yes” were: **Ayres, Chowdhuri, Dowdy, Dyer, Hux, Magruder, Middleton, Mitchell, O’Dell, Oliver, Pace, Redifer, Trenary, and Smith. David Giesen was absent.**

In the matter of Disciplinary prima facie File Number 2016-00743, Touch of Class Fencing Inc the Board members reviewed the record, which consisted of the Notice, the Report of Findings, including exhibits, and the Recommendation.

**File Number
2016-00743
Touch of
Class
Fencing Inc**

Touch of Class Fencing Inc did not appear at the Board meeting in person, by counsel nor by any other qualified representative.

After discussion a motion was made by **Mr. Redifer** and seconded by **Mr. Oliver** to adopt the Report of Findings including exhibits, and to adopt the Recommendation. They are incorporated as part of the Order. The Board finds substantial evidence that **Touch of Class** violated the following:

Count 1:	Dec.1, 2012	18 VAC 50-22-260.B.27
Count 2:	Feb. 1, 2006	18 VAC 50-22-260.B.28 four vios

The motion passed unanimously. Members voting “yes” were: **Ayres, Chowdhuri, Dowdy, Dyer, Hux, Magruder, Middleton, Mitchell, O’Dell, Oliver, Pace, Redifer, Trenary, and Smith.** David Giesen was absent.

After discussion a motion was made by **Mr. Oliver** and seconded by **Mr. Hux** to impose the following sanctions:

Count 1:		\$ 700.00
Count 2:	\$1,500. Each x 4	\$ 6,000.00
Total		\$ 6,700.00

A total monetary penalty of **\$6,700.00** was imposed. For violations of Count 2, license revocation is imposed.

The motion passed unanimously. Members voting “yes” were: **Ayres, Chowdhuri, Dowdy, Dyer, Hux, Magruder, Middleton, Mitchell, O’Dell, Oliver, Pace, Redifer, Trenary, and Smith.** David Giesen was absent.

In the matter of Disciplinary prima facie File Number 2016-01005, American Construction Company of Virginia dba Contractors On Call, the Board members reviewed the record, which consisted of the Notice, the Report of Findings, including exhibits, and the Recommendation.

**File Number
2016-01005
American
Construction
Company of
Virginia dba
Contractors
On Call**

American Construction Company of Virginia dba Contractors On Call did not appear at the Board meeting in person, by counsel nor by any other qualified representative.

After discussion a motion was made by **Mr. Oliver** and seconded by **Mr. Dyer** to adopt the Report of Findings including exhibits, and the Recommendation. They are incorporated as part of the Order. The Board finds substantial evidence that **American Construction Company of Virginia** violated the following:

Count 1:	Dec 1, 2012	18 VAC 50-22-260. B.5
Count 2:	Sept. 1, 2001	18 VAC 50-22-220.C
Count 3:	Dec. 1, 2012	18 VAC 50-22-230.B

The motion passed unanimously. Members voting “yes” were: **Ayres, Chowdhuri, Dowdy, Dyer, Hux, Magruder, Middleton, Mitchell, O’Dell, Oliver, Pace, Redifer, Trenary, and Smith.** David Giesen was absent.

After discussion a motion was made by **Mr. Oliver** and seconded by **Mr. Pace** to impose the following sanctions:

Count 1:		\$ 1,500.00
Count 2:		\$ 500.00
Count 3:		\$ 500.00
Total		\$2,500.00

A total monetary penalty of \$2,500.00 was imposed. In addition, for violation of Counts 1, 2 and 3, the Board requires that American Construction Company of Virginia have a member of Responsible Management successfully complete a Board-approved remedial education class within ninety days of the effective date of the order.

The motion passed unanimously. Members voting “yes” were: **Ayres, Chowdhuri, Dowdy, Dyer, Hux, Magruder, Middleton, Mitchell, O’Dell, Oliver, Pace, Redifer, Trenary, and Smith. David Giesen was absent.**

In the matter of Prima Facie Disciplinary File Number 2016-01640, Bella Vista Custom Homes & Remodeling LLC, the record, which consisted of the Notice, the Report of Findings, including exhibits, and the Recommendation.

**File Number
2016-01640
Bella Vista
Custom
Homes &
Remodeling
LLC**

Bella Vista Custom Homes & Remodeling LLC did not appear at the Board meeting in person, by counsel nor by any other qualified representative.

A motion was made by **Mr. Oliver** and seconded by **Mr. Pace** to adopt the report of findings including exhibits and the Report of finding. They are incorporated as part of the Order. The Board finds substantial evidence that **Bella Vista Custom Homes & Remodeling LLC** violated the following:

Count 1:	Dec 1, 2012	18 VAC 50-22-260. B.9
Count 2:		18 VAC 50-22-260.B.27
Count 3:		18 VAC 50-22-260.B.27
Count 5:		18 VAC 50-22-210.
Count 4:	Dec. 1, 2014	18 VAC 50-22-260.B.31

The motion passed with a unanimous “yes” vote. Members voting “yes” were: **Ayres, Chowdhuri, Dowdy, Dyer, Hux, Magruder, Middleton, Mitchell, O’Dell, Oliver, Pace, Redifer, Trenary, and Smith. David Giesen was absent.**

After discussion a motion was made by **Mr. Oliver** and seconded by **Mr. Pace** to impose the following sanctions:

Count 1:		\$500.00
Count 2:		\$1,000.00
Count 3:		\$1,000.00

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Count 4:		\$500.00
Count 5:		\$500.00
Total		\$3, 500.00

A total monetary penalty of \$3, 500.00 was imposed. In addition, for violation of Counts 2, 3 through 5, the Board imposes license revocation.

The motion passed with a unanimous “yes” vote. Members voting “yes” were: **Ayres, Chowdhuri, Dowdy, Dyer, Hux, Magruder, Middleton, Mitchell, O’Dell, Oliver, Pace, Redifer, Trenary, and Smith. David Giesen was absent.**

In the matter of Prima Facie Disciplinary File Number 2016-02659 Ken Simon Properties, LLC the record, which consisted of the Notice, the Report of Findings, including exhibits, and the Recommendation.

**File Number
2016-02659
Ken Simon
Properties,
LLC**

A motion was made by **Mr. Pace** and seconded by **Mr. Oliver** to adopt the report of findings including exhibits and the Report of finding. They are incorporated as part of the Order. The Board finds substantial evidence that **Ken Simon Properties LLC** violated the following:

Count 1:	Dec 1, 2014	18 VAC 50-22-260. B.28
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The motion was adopted by a unanimous vote. Members voting “yes” were: **Ayres, Chowdhuri, Dowdy, Dyer, Hux, Magruder, Middleton, Mitchell, O’Dell, Oliver, Pace, Redifer, Trenary, and Smith. David Giesen was absent.**

After discussion a motion was made by **Mr. Oliver** and seconded by **Mr. Pace** to impose the following sanctions:

Count 1:	Dec 1, 2014	\$1,800.00
Total		\$1,800.00

For violation of Count 1, **license** revocation is imposed.

The motion passed with a unanimous “yes” vote. Members voting “yes” were: **Ayres, Chowdhuri, Dowdy, Dyer, Hux, Magruder, Middleton, Mitchell, O’Dell, Oliver, Pace, Redifer, Trenary, and Smith. David Giesen was absent.**

In the matter of Prima Facie Disciplinary File Number 2016-02878

File Number

Kingsland Homes LLC, the record, which consisted of the Notice, the Report of Findings, including exhibits, and the Recommendation.

**2016-02878
Kingsland
Homes LLC**

Kingsland Homes LLC did not appear at the Board meeting in person, by counsel nor by any other qualified representative.

A motion was made by **Mr. Oliver** and seconded by **Mr. Pace** to adopt the report of findings including exhibits and the Recommendation. The Board finds substantial evidence that **Kingsland Homes LLC** violated the following of the Board's Regulations: effective January 1, 2016; **(Count 1)** 18 VAC 50-22-260.B.13 (3 violations); Count 2: 18 VAC 50-22-230.B

The motion passed with a unanimous "yes" vote. Members voting "yes" were: **Ayres, Chowdhuri, Dowdy, Dyer, Hux, Magruder, Middleton, Mitchell, O'Dell, Oliver, Pace, Redifer, Trenary, and Smith. David Giesen was absent.**

After discussion a motion was made by **Mr. Oliver** and seconded by **Mr. Pace** to impose the following monetary penalties:

Count 1:	\$4,500.00. (\$1,500. Each x 3)
Total	\$500.00

For violation of Count 1 and 2, the Board imposes license revocation. The Report of Findings and Recommendation are incorporated as part of the Order.

The motion passed with a unanimous "yes" vote. Members voting "yes" were: **Ayres, Chowdhuri, Dowdy, Dyer, Hux, Magruder, Middleton, Mitchell, O'Dell, Oliver, Pace, Redifer, Trenary, and Smith. David Giesen was absent.**

In the matter of Consent Order File Number 2014-01222, Sung Joong Kang, Sr., the board reviewed the Consent Order as seen and agreed to by **Sung Joong Kang, Sr.**

**File Number
2014-01222
Sung Joong
Kang, Sr.**

Sung Joong Kang, Sr. attended the Board meeting.

A motion was made by **Mr. Oliver** and seconded by **Mr. Pace** to ratify the proposed Consent Order offer wherein **Sung Joong Kang, Sr.** acknowledges an understanding of the charges and neither admits nor denies the following terms: violations of the Board's Regulations as outlined in the Report of Findings. **Sung Joong Kang, Sr.** consents to the following term (s). **(Count 1)** 18 VAC 50-22-190. 2 with a monetary penalty of \$1,000.00; **(Count 2)** 18 VAC 50-22-190.2 with a monetary penalty of \$500.000. **Kang** also agrees to Board Costs

in the amount of \$150.00. **Kang** agrees to pay a total of \$1,650.00.

In addition, for violation of Count 1, **Sung Joong Kang, Sr.** agrees to license revocation. Further the Board requires that Sung Joong Kang, Sr. have a member of Responsible Management successfully complete a Board-approved remedial education class within ninety days of the effective date of this order.

The motion passed with a unanimous “yes” vote. Members voting “yes” were: **Ayres, Chowdhuri, Dowdy, Dyer, Hux, Magruder, Middleton, Mitchell, O’Dell, Oliver, Pace, Redifer, Trenary, and Smith. David Giesen was absent.**

In the matter of Consent Order File Number 2014-01223, Green Technology Construction Inc, the board reviewed the Consent Order as seen and agreed to by **Green Technology Construction Inc. Sung Joong Kang, Sr. for Green Technology Construction Inc** did attend the Board meeting.

File Number
2014-01223
Green
Technology
Construction
Inc

A motion was made by **Mr. Pace** and seconded by **Mr. Oliver** to ratify the proposed Consent Order offer wherein acknowledges an understanding of the charges and admits to the violations of the Counts as outlined in the Report of Findings. **Green Technology Construction Inc** consents to the following term (s). (**Count 1**) 18 VAC 50-22-260. B.2 with a monetary penalty of \$0.00, and Count 2: 18 VAC 50-22-260.B.2 with a monetary penalty of \$0.00. **Green Technology Construction Inc** also agrees to Board Costs in the amount of \$150.00. **Green Technology Construction Inc** agrees to pay a total of \$150.00.

In addition, for violation of Count 1, **Green Technology Construction Inc** agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.

For violation of Count 2, **Green Technology Construction Inc** agrees to revocation of its license.

The motion passed with a unanimous “yes” vote. Members voting “yes” were: **Ayres, Chowdhuri, Dowdy, Dyer, Hux, Magruder, Middleton, Mitchell, O’Dell, Oliver, Pace, Redifer, Trenary, and Smith. David Giesen was absent.**

In the matter of Consent Order File Number 2014-01689 Burt R Reynolds the board reviewed the Consent Order as seen and agreed to by **Reynolds. Burt R Reynolds** did not attend the Board meeting in person by counsel nor by any qualified representative.

File Number
2014-01689
Burt R
Reynolds

A motion was made by **Mr. Pace** and seconded by **Mr. Oliver** to ratify the proposed Consent Order offer wherein Reynolds acknowledges an understanding of the charges and admits to the violations of the Counts as outlined in the Report of Findings. **Burt R Reynolds** consents to the following term(s). (**Count 1**) 18 BAC 50-30-190.2 with a monetary penalty of \$1,100.00 and Board Costs in the amount of \$150.00. **Burt R Reynolds** agrees to pay a total of \$1,250.00.

In addition, for violation of Count 1, **Burt R Reynolds** agrees to a two year probation of his license as of the effective date of the Order. During this two year probation, Reynolds agrees to comply with the regulations of the Board for Contractors. If Reynolds violates any terms of this probation, his license may be revoked, pending review by the Board.

Also, Reynolds agrees to remove the Master Electrician and the Electrician designations from his license. Reynolds agrees not to reapply for the Master Electrician or Electrician designation for two years.

Further, for violation of Count 1, Reynolds agrees to successfully complete remedial education within ninety days of the effective date the Order.

The motion passed with a unanimous “yes” vote. Members voting “yes” were: **Ayres, Chowdhuri, Dowdy, Dyer, Hux, Magruder, Middleton, Mitchell, O’Dell, Oliver, Pace, Redifer, Trenary, and Smith. David Giesen was absent.**

In the matter of Consent Order File Number 2014-01690, Thermal Balance Heating & Cooling LLC, the board reviewed the Consent Order as seen and agreed to by **Burt R Reynolds**. **Thermal Balance Heating & Cooling LLC** did not attend the Board meeting in person, nor by counsel or any qualified representative.

File Number
2016-01690
Thermal
Balance
Heating &
Cooling LLC

A motion was made by **Mr. Oliver** and seconded by **Mr. Pace** to ratify the proposed Consent Order offer wherein **Thermal Balance Heating & Cooling LLC**, acknowledges an understanding of the charges and admits to the violation (s) of the Counts as outlined in the Report of Findings. **Thermal Balance Heating & Cooling LLC** consents to the following terms. (**Count 1**) 18 VAC 50-22-260.B.2 with a monetary penalty of \$00.00. **Thermal Balance Heating & Cooling LLC** agrees to Board costs of \$150.00. **Thermal Balance Heating & Cooling LLC** agrees to pay a total of **\$150.00**.

In addition for violation of Count 1, **Thermal Balance Heating & Cooling LLC** agrees to a two year probation of its license as of the effective date of the Order. During this two year probation, Thermal Balance Heating & Cooling

LLC agrees to comply with the regulations of the Board for Contractors. If Thermal Balance Heating & Cooling LLC violates any terms of this probation, its license may be revoked, pending review by the Board.

Further, for violation of Count 1, Thermal Balance Heating & Cooling LLC agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.

The motion passed with a unanimous “yes” vote. Members voting “yes” were: **Ayres, Chowdhuri, Dowdy, Dyer, Hux, Magruder, Middleton, Mitchell, O’Dell, Oliver, Pace, Redifer, Trenary, and Smith. David Giesen was absent.**

In the matter of Consent Order File Number 2014-01849, Ku Tae Jung, the board reviewed the Consent Order as seen and agreed to by Ku Tae Jung, Jr. **Ku Tae Jung** did not attend the Board meeting in person, nor by counsel or any qualified representative.

**File Number
2014-01849
Ku Tae Jung**

A motion was made by **Mr. Oliver** and seconded by **Mr. Pace** to ratify the proposed Consent Order offer wherein **Ku Tae Jung** acknowledges an understanding of the charges and admits to the violation(s) of the Counts as outlined in the Report of Findings. **Jung** consents to the following violations of the Board’s Regulations :

Count 1:		18 VAC 50-30-190.2
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The motion was adopted by a unanimous vote. Members voting “yes” were: **Ayres, Chowdhuri, Dowdy, Dyer, Hux, Magruder, Middleton, Mitchell, O’Dell, Oliver, Pace, Redifer, Trenary, and Smith. David Giesen was absent.**

After discussion a motion was made by **Mr. Oliver** and seconded by **Mr. Pace** to impose the following sanctions:

Count 1:		\$0.00
Board Costs		\$150.00
Total		\$150.00

In addition, for violation of Count 1, **Jung** agrees to revocation of his license.

The motion passed with a unanimous “yes” vote. Members voting “yes” were: **Ayres, Chowdhuri, Dowdy, Dyer, Hux, Magruder, Middleton, Mitchell, O’Dell, Oliver, Pace, Redifer, Trenary, and Smith. David Giesen was absent.**

In the matter of Consent Order File Number 2014-01851, Best Protech Inc the board reviewed the Consent Order as seen and agreed to by **Mark Wiggins** did not attend the Board meeting in person by counsel or by any other qualified individual.

File Number
2014-01851
Best Protech
Inc

A motion was made by **Mr. Pace** and seconded by **Mr. Oliver** to ratify the proposed Consent Order offer wherein **Best Protech Inc**, acknowledges an understanding of the charges and admits to the violation(s) of the Counts as outlined in the Report of Findings. **Best Protech Inc** consents to the following violations of the Board's Regulations: **(Count 1)** 18 VAC 50-22-260.B.2 with a monetary penalty of \$1,000.00 and **(Count 2)** 18 VAC 50-22-210 with a monetary penalty of \$00.00. **Best Protech Inc** agrees to Board costs of \$150.00 and to pay a total of \$1,150.00

For violation of Counts 1 and 2, **Best Protech Inc** agrees to revocation of its license.

The motion passed with a unanimous "yes" vote. Members voting "yes" were: **Ayres, Chowdhuri, Dowdy, Dyer, Hux, Magruder, Middleton, Mitchell, O'Dell, Oliver, Pace, Redifer, Trenary, and Smith. David Giesen was absent.**

In the matter of Consent Order File Number 2016-00495, Justin Mason Construction LLC the board reviewed the Consent Order as seen and agreed to by **Justin Mason Construction LLC** did not attend the Board meeting in person by counsel or by any other qualified individual.

File Number
2016-00495
Justin
Mason
Construction
LLC

A motion was made by **Mr. Pace** and seconded by **Mr. Oliver** to ratify the proposed Consent Order offer wherein **Justin Mason Construction LLC**, acknowledges an understanding of the charges and admits to the violation(s) of the Counts as outlined in the Report of Findings. **Justin Mason Construction LLC** consents to the following violations of the Board's Regulations: **(Count 1)** 18 VAC 50-22-260.B.8 with a monetary penalty of **\$350.00**; **(Count 2)** 18 VAC 22-260.B.6 with a monetary penalty of **\$ 400.00**. **Justin Mason Construction LLC** agrees to Board costs of **\$150.00** and a total of **\$900.00**.

For violation of Counts 1, and 2, **Justin Mason Construction LLC** agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.

The motion passed with a unanimous "yes" vote. Members voting "yes" were: **Ayres, Chowdhuri, Dowdy, Dyer, Hux, Magruder, Middleton, Mitchell, O'Dell, Oliver, Pace, Redifer, Trenary, and Smith. David Giesen was absent.**

In the matter of Consent Order File Number 2016-01162, The Quest Companies Inc., the board reviewed the Consent Order as seen and agreed to by **George Vergara. The Quest Companies Inc.** did not attend the Board meeting in person, nor by counsel or any qualified representative.

File Number
2016-01162
The Quest
Companies
Inc

A motion was made by **Mr. Oliver** and seconded by **Mr. Pace** to ratify the proposed Consent Order offer wherein **The Quest Companies Inc.** acknowledges an understanding of the charges and admits to the following violations of the Counts as outlined in the Report of Findings. **The Quest Companies Inc.** consents to the following term (s):

Count 1:		18 VAC 50-22-260 B.6
Count 2:		18 VAC 50-22-260.B.29
Count 3:		18 VAC 50-22-260.B.31

Listed below are the sanctions:

Count 1:		\$750.00
Count 2:		\$550.00
Count 3:		\$400.00
Board Costs		\$150.00
Total		\$1,850.00

Further, for violation of Count 1, 2, and 3, **The Quest Companies Inc** agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.

The motion passed with a unanimous “yes” vote. Members voting “yes” were: **Ayres, Chowdhuri, Dowdy, Dyer, Hux, Magruder, Middleton, Mitchell, O’Dell, Oliver, Pace, Redifer, Trenary, and Smith. David Giesen was absent.**

In the matter of Consent Order File Number 2016-01315, Jesse Davis, the board reviewed the Consent Order as seen and agreed to by **Jesse Davis. Jesse Davis** did not attend the Board meeting in person, by counsel nor by any other qualified representative.

File Number
2016-01315
Jesse Davis

A motion was made by **Mr. Oliver** and seconded by **Mr. Pace** to ratify the proposed Consent Order offer wherein **Jesse Davis** acknowledges an understanding of the charges and admits to the following violations of the counts as outlined in the Report of Findings, **Jesse Davis** consents to the following term (s): **(Count 1) 18 VAC 50-22-260. B.2** and agrees to a

monetary penalty of **\$1,000.0 and Count 2:** 18 VAC 50-22-260.B.28 with a penalty of **\$0.00**; Count 3: 18 VAC 50-22-230.A with a penalty of **\$350.00**; and Count 4: 18 VAC 50-22-260.B.28 with a penalty of **\$1,750.00**. They also agree to Board Costs in the amount of **\$150.00**. **Jesse Davis** agrees to pay **\$3,250.00**.

Further, for violation of Count 2 and 3, **Jesse Davis** agrees to have his license revoked. He also agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class for violation of counts 1 and 3.

In addition, the Board shall waive imposition of the \$1,750.00 monetary penalty for violation of Count 4, and license revocation for Counts 2 and 4 provided **Jesse Davis** satisfies the judgements and provides the Board with proof of the satisfactions within six months of the effective date of the Order. If **Jesse Davis** fails to comply with these conditions, then the full monetary penalty for Count 4 and license revocation for Counts 2 and 4 will be automatically imposed.

Additionally, for violation of Count 3, **Jesse Davis** agrees to report his current business and/or trade name to the Board, in writing, within thirty days of the effective date of the Order.

The motion passed with a unanimous “yes” vote. Members voting “yes” were: **Ayres, Chowdhuri, Dowdy, Dyer, Hux, Magruder, Middleton, Mitchell, O’Dell, Oliver, Pace, Redifer, Trenary, and Smith. David Giesen was absent.**

In the matter of Consent Order File Number 2016-01335 Pacific 31st LLC, the board reviewed the Consent Order as seen and agreed to by Clarence Oliver. **C Oliver Construction and Renovation Corp** did not attend the Board meeting in person by counsel nor by any other qualified representative.

File Number
2016-01335
Pacific 31st
LLC

A motion was made by **Mr. Oliver** and seconded by **Mr. Pace** to ratify the proposed Consent Order offer wherein **Pacific 31st LLC**, acknowledges an understanding of the charges admits to the following violations of the Counts as outlined in the Report of Findings. **Pacific 31st LLC**, consents to the following term(s): **(Count 1) 18 VAC 50-22-260.B.28** and agrees to a monetary penalty of **\$700.00**. **Pacific 31st LLC** also agrees to Board Costs in the amount of **\$150.00**. **Pacific 31st LLC** agrees to pay **\$850.00**.

In addition for violation of Count 1, **Pacific 31st LLC** agrees to have a member of Responsible Management successfully complete a Board approved Remedial Education class.

The motion passed with a unanimous “yes” vote. Members voting “yes” were:

Ayres, Chowdhuri, Dowdy, Dyer, Hux, Magruder, Middleton, Mitchell, O'Dell, Oliver, Pace, Redifer, Trenary, and Smith. David Giesen was absent.

In the matter of Consent Order File Number 2016-01441, Mark Frederick Atwood the board reviewed the Consent Order as seen and agreed to by **Mark Atwood**. **Mark Frederick Atwood** did not attend the Board meeting in person, by counsel nor by any other qualified representative.

File Number
2016-01441
Mark
Frederick
Atwood

A motion was made by **Mr. Oliver** and seconded by **Mr. Pace** to ratify the proposed Consent Order offer wherein **Mark Frederick Atwood** acknowledges an understanding of the charges and admits to the following violations of the counts as outlined in the Report of Findings, **Mark Frederick Atwood** consents to the following term (s): **(Count 1) 18 VAC 50-22-260.B. 8** and agrees to a monetary penalty of **\$350.00; and (Count 2) 18 VAC 50-22-260.B.33** and agrees to a monetary penalty of **\$750.00; and Count 3: 18 VAC 50-22-260.B.27** and agrees to a monetary penalty of **\$650.00**. They also agree to Board Costs in the amount of **\$150.00**. **Mark Frederick Atwood** agrees to pay **\$1, 900.00** within six months of the effective date of the Order.

Further, for violation of Counts 1, 2, and 3, **Mark Frederick Atwood** agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.

In addition, for violation of Count 1, 2 and 3, **Mark Frederick Atwood** agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class within ninety days of the effective date of this order.

The motion passed with a unanimous "yes" vote. Members voting "yes" were: **Ayres, Chowdhuri, Dowdy, Dyer, Hux, Magruder, Middleton, Mitchell, O'Dell, Oliver, Pace, Redifer, Trenary, and Smith. David Giesen was absent.**

In the matter of Consent Order File Number 2016-02150, AMB General Contractors LLC the board reviewed the Consent Order as seen and agreed to by **Gregory W Dempsey**. **AMB General Contractors LLC** did not attend the Board meeting in person, by counsel nor by any other qualified representative.

File Number
2016-02150
AMB
General
Contractors
LLC

A motion was made by **Mr. Oliver** and seconded by **Mr. Pace** to ratify the proposed Consent Order offer wherein **AMB General Contractors LLC** acknowledges an understanding of the charges and admits to the following violations of the counts as outlined in the Report of Findings, **AMB General Contractors LLC** consents to the following term (s): **(Count 1) 18 VAC 50-**

22-260. B.9 and agrees to a monetary penalty of **\$400.00**; **Count 2: 18 VAC 50-22-260.B.16** and agrees to a monetary penalty of **\$1,850.00** and (Count 3) **18 VAC 50-22-260.B.13** and agrees to a monetary penalty of **\$1,300.00**. They also agree to Board Costs in the amount of **\$150.00**. **AMB General Contractors LLC** agrees to pay **\$3,700.00**.

Also, for violation of Counts 1, 2 and 3, **AMB General Contractors LLC** agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.

In addition, the Board shall waive imposition of the **\$400.00** monetary penalty for Count 1 provided **AMB General Contractors LLC** provides a copy of its current contract within ninety days of the effective date of the Order. The contract must be in compliance with Board Regulation **18 VAC 50-22-260.B.9**. If **AMB General Contractors LLC** fails to comply with this condition, then the full monetary penalty will be automatically imposed.

The motion passed with a unanimous “yes” vote. Members voting “yes” were: **Ayres, Chowdhuri, Dowdy, Dyer, Hux, Magruder, Middleton, Mitchell, O’Dell, Oliver, Pace, Redifer, Trenary, and Smith**. **David Giesen was absent**.

In the matter of Consent Order File Number 2016-02549, Bong Chae, t/a Sun Construction General Contractors, the board reviewed the Consent Order as seen and agreed to by **Bong Chae, t/a Sun Construction General Contractors**, did not attend the Board meeting in person, by counsel nor by any other qualified representative.

File Number
2016-02549
Bong Chae,
t/a Sun
Construction
General
Contractors

A motion was made by **Mr. Oliver** and seconded by **Mr. Pace** to ratify the proposed Consent Order offer wherein **Bong Chae** acknowledges an understanding of the charges and admits to the following violations of the counts as outlined in the Report of Findings, **Bong Chae, t/a Sun Construction General Contractors** consents to the following term (s): **(Count 1) 18 VAC 50-22-230. A** and agrees to a monetary penalty of **\$350.00**, **(Count 2) 18 VAC 50-22-260.B.9** and agrees to a monetary penalty of **\$400.00**, **(Count 3) 18 VAC 50-22-260.B.27** and agrees to a monetary penalty of **\$650.00**, **(Count 4) 18 VAC 50-22-260.B.27** and agrees to a monetary penalty of **\$1,300.00** (2 vios at \$650. Each); and **(Count 5): 18 VAC 50-22-260.B.31** and agrees to a monetary penalty of **\$400.00**. They also agree to Board Costs in the amount of **\$150.00**. **Bong Chae** agrees to pay **\$3,2500.00**.

Further, for violation of Counts 1, through 5, **Bong Chae** agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.

The motion passed with a unanimous “yes” vote. Members voting “yes” were: **Ayres, Chowdhuri, Dowdy, Dyer, Hux, Magruder, Middleton, Mitchell, O’Dell, Oliver, Pace, Redifer, Trenary, and Smith. David Giesen was absent.**

In the matter of Consent Order File Number 2016-02636, Randall Brush t/a RBS Services., the board reviewed the Consent Order as seen and agreed to by **Randall Brush. Randall Brush t/a RBS Services** did not attend the Board meeting in person by counsel or by any other qualified representative.

**File Number
2016-02636
Randall
Brush t/a
RBS
Services**

A motion was made by **Mr. Oliver** and seconded by **Mr. Redifer** to ratify the proposed Consent Order offer wherein **Randall Brush**, admits to the following violation of the Board’s Regulations **(Count 1) 18 VAC 50-22-260. B.8; and agrees to a monetary penalty of \$350.00; (Count 2) 18 VAC 50-22-260.B.9** and agrees to a monetary penalty of **\$400.00**. They also agree to Board Costs in the amount of **\$150.00. Randall Brush** agrees to pay **\$900.00**.

In addition, for violation of Counts 1, and 2, **Bremac, Inc.,** agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class.

Further, the Board shall waive imposition of the **\$400.00** monetary penalty for Count 2 provided Randall Brush provides a copy of his current contract within thirty days of the effective date of the Order. The contract must be in compliance with Board Regulation **18 VAC 50-22-260.B.9**. If Randall Brush fails to comply with this condition, then the full monetary penalty will be automatically imposed.

The motion passed with a unanimous “yes” vote. Members voting “yes” were: **Ayres, Chowdhuri, Dowdy, Dyer, Hux, Magruder, Middleton, Mitchell, O’Dell, Oliver, Pace, Redifer, Trenary, and Smith. David Giesen was absent.**

In the matter of Consent Order File Number 2016-02740 Cavalier Roofing Services Inc., the board reviewed the Consent Order as seen and agreed to by **William Clostic, Jr. Christopher Davis t/a C D Construction & Home Improvements Inc.** did not attend the Board meeting in person, nor by counsel or any qualified representative.

**File Number
2016-02740
Cavalier
Roofing
Services**

A motion was made by **Mr. Redifer** and seconded by **Mr. Oliver** to ratify the proposed Consent Order offer wherein **Cavalier Roofing Services,** acknowledges an understanding of the charges and admits to the following violations of the Counts as outlined in the Report of Findings. **Cavalier Roofing Services,** consents to the following term(s): admits to the following

violations of the Board's Regulations (**Count 1**) **18 VAC 50-22-260.B.9** and agrees to a monetary penalty of **\$400.00** and (**Count 2**) **18 VAC 50-22-260.B.27** and agrees to a monetary penalty of **\$850.00**. **Cavalier Roofing Services**, also agrees to Board costs in the amount of **\$150.00**. **Cavalier Roofing Services**, agrees to pay a total of **\$1,250.00**.

Further, for violation of Counts 1 and 2, **Cavalier Roofing Services** agrees that a member of Responsible Management will successfully complete a Board-approved remedial education class within ninety days of the effective date of the Order.

The motion passed with a unanimous "yes" vote. Members voting "yes" were: **Ayres, Chowdhuri, Dowdy, Dyer, Hux, Magruder, Middleton, Mitchell, O'Dell, Oliver, Pace, Redifer, Trenary, and Smith**. **David Giesen was absent**.

In the matter of Consent Order File Number 2016-03162 Horizon Construction Company, the board reviewed the Consent Order as seen and agreed to by **Wade J White, Sr. Horizon Construction Company**, did not attend the Board meeting in person, or by counsel or any qualified representative.

File Number
2016-03162
Horizon
Construction
Company

A motion was made by **Mr. Redifer** and seconded by **Mr. Oliver** to ratify the proposed Consent Order offer wherein **Horizon Construction Company**, admits to the following violations of the Board's Regulations: (**Count 1**) **18 VAC 50-22-260.B.29** and agrees to a monetary penalty of **\$700.00**. **Horizon Construction Company**, also agree to Board costs in the amount of **\$150.00**. **Horizon Construction Company**, agrees to pay a total of **\$850.00**.

In addition, for violation of Count 1, **Horizon Construction Company** agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 days of the Order.

The motion passed with a unanimous "yes" vote. Members voting "yes" were: **Ayres, Chowdhuri, Dowdy, Dyer, Hux, Magruder, Middleton, Mitchell, O'Dell, Oliver, Pace, Redifer, Trenary, and Smith**. **David Giesen was absent**.

In the matter of Consent Order File Number 2016-03335 Creative Custom Homes Of Virginia Ltd. the board reviewed the Consent Order as seen and agreed to by **Chrystene Evans**. **Creative Custom Homes Of Virginia Ltd** did not attend the Board meeting in person, nor by counsel or any qualified representative.

File Number
2016-03335
Creative
Custom
Homes Of
Virginia Ltd

A motion was made by **Mr. Redifer** and seconded by **Mr. Oliver** to ratify the proposed Consent Order offer wherein **Creative Custom Homes Of Virginia Ltd** acknowledges an understanding of the charges and admits to the following violations of the Counts as outlined in the Report of Findings. **Creative Custom Homes Of Virginia Ltd (Count 1) 18 VAC 50-22-260.B.28** and agrees to a monetary penalty of **\$1,750.00**. **Creative Custom Homes Of Virginia Ltd** also agrees to Board costs in the amount of **\$150.00**. **Creative Custom Homes Of Virginia Ltd** agrees to pay a total of **\$1,900.00**.

For violation of Count 1, **Creative Custom Homes of Virginia Ltd** agrees to revocation of its license. Further the Board shall waive imposition of the \$1,750.00 monetary penalty and license revocation for Count 1 provided Creative Custom Homes of Virginia Ltd satisfies the judgement and provides the Board with proof of the satisfaction within six months of the effective date of the Order. If Creative Custom Homes of Virginia Ltd fails to comply with these conditions, then the full monetary penalty and license revocation will be automatically imposed.

Also, for violation of count 1, Creative Custom Homes of Virginia Ltd agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 days of the Order.

The motion passed with a unanimous “yes” vote. Members voting “yes” were: **Ayres, Chowdhuri, Dowdy, Dyer, Hux, Magruder, Middleton, Mitchell, O’Dell, Oliver, Pace, Redifer, Trenary, and Smith**. **David Giesen was absent**.

In the matter of Consent Order File Number 2017-00363 D C Quality Builders Incorporated, the board reviewed the Consent Order as seen and agreed to by **Elaine Lima**. **D C Quality Builders Incorporated** did not attend the Board meeting in person, nor by counsel or any qualified representative.

File Number
2017-00363
D C Quality
Builders
Incorporated

A motion was made by **Mr. Redifer** and seconded by **Mr. Oliver** to ratify the proposed Consent Order offer wherein **D C Quality Builders Incorporated** admits to the following violations of the Board’s Regulations (**Count 1) 18 VAC 50-22-260.B.29** and agrees to a monetary penalty of **\$700.00**. **D C Quality Builders Incorporated** also agrees to Board costs in the amount of **\$150.00**. **D C Builders Incorporated** agrees to pay a total of **\$850.00**.

Further, for violation of Count 1, **D C Quality Builders Incorporated** agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 days of the Order.

The motion passed with a unanimous “yes” vote. Members voting “yes” were: **Ayres, Chowdhuri, Dowdy, Dyer, Hux, Magruder, Middleton, Mitchell,**

O'Dell, Oliver, Pace, Redifer, Trenary, and Smith. David Giesen was absent.

In the matter of Consent Order File Number 2017-00401 JRK Remodeling Corp, the board reviewed the Consent Order as seen and agreed to by **Craig Jacobson. JRK Remodeling Corp** did not attend the Board meeting in person, nor by counsel or any qualified representative.

File Number
2017-00401
JRK
Remodeling
Corp

A motion was made by **Mr. Smith** and seconded by **Mr. Oliver** to ratify the proposed Consent Order offer wherein **JRK Remodeling Corp** admits to the following violations of the Board's Regulations (**Count 1**) **18 VAC 50-22-260.B.27 (two violations)** and agrees to a monetary penalty of **\$650.00**; (**Count 2**) **18 VAC 50-22-260.B.29 (two violations)** and agrees to a monetary penalty of **\$700.00**. **JRK Remodeling Corp** also agrees to Board costs in the amount of **\$150.00**. **JRK Remodeling Corp** agrees to pay **\$1, 500.00**.

Further for violation of Counts 1 and 2, **JRK Remodeling Corp** agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 days of the Order.

The motion passed with a unanimous "yes" vote. Members voting "yes" were: **Ayres, Chowdhuri, Dowdy, Dyer, Hux, Magruder, Middleton, Mitchell, O'Dell, Oliver, Pace, Redifer, Trenary, and Smith. David Giesen was absent.**

In the matter of Consent Order File Number 2017-00444, Levin Contracting Inc, the board reviewed the Consent Order as seen and agreed to by **James Levin. Levin Contracting Inc** did not attend the Board meeting in person, nor by counsel or any qualified representative.

File Number
2017-00444
Levin
Contracting
Inc

A motion was made by **Mr. Redifer** and seconded by **Mr. Oliver** to ratify the proposed Consent Order offer wherein **Levin Contracting Inc**, admits to the following violations of the Board's Regulations (**Count 1**) **18 VAC 50-22-260.B.29** and agrees to a monetary penalty of **\$700.00**. **Levin Contracting Inc** also agrees to Board costs in the amount of **\$150.00**. **Levin Contracting Inc** agrees to pay a total of **\$850.00** and agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 days of entry of the Order.

The motion passed with a unanimous "yes" vote. Members voting "yes" were: **Ayres, Chowdhuri, Dowdy, Dyer, Hux, Magruder, Middleton, Mitchell, O'Dell, Oliver, Pace, Redifer, Trenary, and Smith. David Giesen was absent.**

In the matter of Consent Order File Number 2017-00452 Leonard Roofing LLC, the board reviewed the Consent Order as seen and agreed to by **Dennis Leonard**. **Leonard Roofing LLC** did not attend the Board meeting in person, nor by counsel or any qualified representative.

File Number
2017-00452

**Leonard
Roofing
LLC**

A motion was made by **Mr. Oliver** and seconded by **Mr. Redifer** to ratify the proposed Consent Order offer wherein **Leonard Roofing LLC**, admits to the following violations of the Board's Regulations (**Count 1**) **18 VAC 50-22-260.B.2** and agrees to a monetary penalty of **\$700.00**. **Leonard Roofing LLC**, also agrees to Board costs in the amount of **\$150.00**. **Leonard Roofing LLC**, agrees to pay **\$850.00**.

Further, for violation of Count 1, **Leonard Roofing LLC**, agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class for violation of Count 1

The motion passed with a unanimous "yes" vote. Members voting "yes" were: **Ayres, Chowdhuri, Dowdy, Dyer, Hux, Magruder, Middleton, Mitchell, O'Dell, Oliver, Pace, Redifer, Trenary, and Smith**. **David Giesen was absent**.

In the matter of Consent Order File Number 2017-00456 Metromont Corporation, the board reviewed the Consent Order as seen and agreed to by **Russell Rowley**. **Metromont Corporation** did not attend the Board meeting in person, nor by counsel or any qualified representative.

File Number
2017-00456
**Metromont
Corporation**

A motion was made by **Mr. Redifer** and seconded by **Mr. Oliver** to ratify the proposed Consent Order offer wherein **Metromont Corporation** admits to the following violations of the Board's Regulations (**Count 1**) **18 VAC 50-22-260.B.29** and agrees to a monetary penalty of **\$1,000.00**. **Metromont Corporation** also agrees to Board costs in the amount of **\$150.00**. **Metromont Corporation** agrees to pay **\$1,150.00** and agrees to have a member of Responsible Management successfully complete a Board-approved remedial education class for violation of Count 1 within 90 days of the Order.

The motion passed with a unanimous "yes" vote. Members voting "yes" were: **Ayres, Chowdhuri, Dowdy, Dyer, Hux, Magruder, Middleton, Mitchell, O'Dell, Oliver, Pace, Redifer, Trenary, and Smith**. **David Giesen was absent**.

Mr. Dyer, Board chair, recessed the Board for a 12 minute break at 10:03 am and reconvened the Board for business at 10:15 am.

**Break and
Reconvene**

Education Report

**7. a.
Education
Report**

Wendy Duncan the Board's Education Specialist presented Staff's recommendation of approval for: **Classed4contractors.com LLC** provider for **Continuing Education for ELE Online Courses as a new provider.**

Following discussion and review **Mr. Oliver** offered a motion seconded by **Mr. Trenary** to approve **as recommended.**

The motion passed with a unanimous "yes" vote. Members voting "yes" were: **Ayres, Chowdhuri, Dowdy, Dyer, Hux, Magruder, Middleton, Mitchell, O'Dell, Oliver, Pace, Redifer, Trenary, and Smith.** **David Giesen was absent.**

Wendy Duncan the Board's Education Specialist presented Staff's recommendation of approval for: **HVAC Codes and Controls Schools LLC** – provider for **Vocational - HVAC Classroom training.**

Following discussion and review **Mr. Redifer** offered a motion seconded by **Mr. Oliver** to approve **as recommended.**

The motion passed with a unanimous "yes" vote. Members voting "yes" were: **Ayres, Chowdhuri, Dowdy, Dyer, Hux, Magruder, Middleton, Mitchell, O'Dell, Oliver, Pace, Redifer, Trenary, and Smith.** **David Giesen was absent.**

Wendy Duncan the Board's Education Specialist presented Staff's recommendation of approval for: **HVAC Codes and Controls Schools LLC** provider for **Vocational Education - Classroom- for Electrical and HVAC.**

Following discussion and review **Mr. Oliver** offered a motion seconded by **Mr. Trenary** to approve **as recommended.**

The motion passed with a unanimous "yes" vote. Members voting "yes" were: **Ayres, Chowdhuri, Dowdy, Dyer, Hux, Magruder, Middleton, Mitchell, O'Dell, Oliver, Pace, Redifer, Trenary, and Smith.** **David Giesen was absent.**

Wendy Duncan the Board's Education Specialist presented Staff's recommendation of approval for: **HVAC Codes and Controls Schools LLC** provider for **Vocational Education Education Courses Classroom – HVAC.**

Following discussion and review **Mr. Oliver** offered a motion seconded by **Mr.**

Pace to approve the application at this time as recommended by staff.

The motion passed with a unanimous “yes” vote. Members voting “yes” were: **Ayres, Chowdhuri, Dowdy, Dyer, Hux, Magruder, Middleton, Mitchell, O’Dell, Oliver, Pace, Redifer, Trenary, and Smith. David Giesen was absent.**

Wendy Duncan the Board’s Education Specialist presented Staff’s recommendation of approval for: **HVAC Codes and Controls Schools LLC** provider for **Classroom Education Courses for – HVAC.**

Following discussion and review **Mr. Magruder** offered a motion seconded by **Mr. Hux** to approve the application at this time as recommended by staff.

The motion passed with a unanimous “yes” vote. Members voting “yes” were: **Ayres, Chowdhuri, Dowdy, Dyer, Hux, Magruder, Middleton, Mitchell, O’Dell, Oliver, Pace, Redifer, Trenary, and Smith. David Giesen was absent.**

Wendy Duncan the Board’s Education Specialist presented Staff’s recommendation of approval for: **National Ground Water Association** provider for **Continuing Education Courses Classroom – Well Water.**

Following discussion and review **Mr. Oliver** offered a motion seconded by **Mr. Redifer** to approve the application at this time as recommended by staff.

The motion passed with a unanimous “yes” vote. Members voting “yes” were: **Ayres, Chowdhuri, Dowdy, Dyer, Hux, Magruder, Middleton, Mitchell, O’Dell, Oliver, Pace, Redifer, Trenary, and Smith. David Giesen was absent.**

Wendy Duncan the Board’s Education Specialist presented Staff’s recommendation of approval for: **Northern Virginia Community College** provider for **Pre License Education Courses Classroom – Virginia Class A, B, or C Contractor Licensing.**

Following discussion and review **Mr. Oliver** offered a motion seconded by **Mr. Redifer** to approve the application at this time as recommended by staff.

The motion passed with a unanimous “yes” vote. Members voting “yes” were: **Ayres, Chowdhuri, Dowdy, Dyer, Hux, Magruder, Middleton, Mitchell, O’Dell, Oliver, Pace, Redifer, Trenary, and Smith. David Giesen was absent.**

Wendy Duncan the Board’s Education Specialist presented Staff’s

recommendation of approval for: **Omega Flex Inc** provider for **Continuing Education Courses Classroom – Gas Fitter – New Provider.**

Following discussion and review **Mr. Oliver** offered a motion seconded by **Mr. Redifer** to approve the application at this time as recommended by staff.

The motion passed with a unanimous “yes” vote. Members voting “yes” were: **Ayres, Chowdhuri, Dowdy, Dyer, Hux, Magruder, Middleton, Mitchell, O’Dell, Oliver, Pace, Redifer, Trenary, and Smith.** **David Giesen was absent.**

Audit Report

Anika Coleman, Regulatory Board Administrator shared with the Board there was no audit report available for this meeting.

7. B. Audit Report

Regulatory Review

Eric Olson gave the members a regulatory/legislative update. No vote was necessary.

7. C. Regulatory Review

Remedial Education

Eric Olson shared information concerning the Remedial Education classes that were held since the last Board meeting. No vote was necessary.

7.D. Remedial Education

Recovery Fund Assessment Statement

The Board reviewed the Recovery Fund Financial Statement that was provided and attentively listened to a report from Mr. Jeff Waite concerning the financial portion of the Recovery Fund. Afterwards there was discussion and then Mr. Oliver offered a motion to adjust the Recovery Fund feed from \$50.00 to \$30.00 to become effective March 1, 2017. The motion was seconded by Mr. O’Dell. The motion was approved by a unanimous vote. Members voting “yes” were: **Ayres, Chowdhuri, Dowdy, Dyer, Hux, Magruder, Middleton, Mitchell, O’Dell, Oliver, Pace, Redifer, Trenary, and Smith.** **David Giesen was absent.**

7.E. Recovery Fund Finance Report

The Board meeting adjourned at 10:56 am.

Adjourn-
ment

Herbert "Jack" Dyer, Jr., Chairman

Jay W. DeBoer, Secretary

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